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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/718,125

11/19/2003

Paul E. Jacobs

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QUALCOMM INCORPORATED
5775 MOREHOUSE DR.
SAN DIEGO, CA 92121

EXAMINER

DINH, DUC Q

ART UNIT

PAPER NUMBER

2629

NOTIFICATION DATE

DELIVERY MODE

10/23/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

us-docketing@qualcomm.com
kascanla@qualcomm.com
nanm@qualcomm.com

Office Action Summary	Application No. 10/718,125	Applicant(s) JACOBS ET AL.	
	Examiner DUC Q. DINH	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 16-25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>08/07/06, 08/24/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's election of Invention of Group I, claims 1-15, in the reply filed on August 10, 2007 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 15 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 15 recites (a computer-implemented medium bodying codes... codes for causing ... reference to the direction of deployment of the keyboard assembly. There is no support for the limitation in the original disclosure.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Art Unit: 2629

Claim 15 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, i.e. "a computer implemented medium embodying codes, codes for causing the computer to detect... codes for causing the computer to orient information..."

Information Disclosure Statement

5. The information disclosure statements (IDS's) submitted on August 21, 2006 is being considered by the examiner.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-2 and 5-15 are rejected under 35 U.S.C. 102(e) as being Anticipated by Chuang (US 20040207604).

In reference to claim 1, Chuang discloses an apparatus in Fig. 4 comprising:

a display (5) for presenting information to a user;

a housing (2) connected to the display for supporting the display; and

a keyboard assembly (31,32) connected through a sliding connection to the housing, the

keyboard assembly deployable in multiple directions, wherein the information presented to the

user through the display is oriented based on a direction of deployment of the keyboard (paragraph [0019])

In reference to claim 2, Chuang discloses the keyboard (12 and 13) is deployed in first direction (Fig. 4) and a second direction as claimed.

In reference to claim 5, Chuang discloses the device is operable in a wireless environment [0007]

In reference to claim 6, Chuang discloses wherein the sliding connection is a track and carrier type of connection (paragraph [0007]).

In reference to claim 7, Chuang discloses the display is a touch sensitive screen [0018]

In reference to claims 8-10, see the rejection as applied to claim 1. In addition, Chuang discloses the when the user uses the keyboard in first display mode for the first orientation and in second orientation transverse to the first orientation, the software to enable the operation of the display according to the appropriate orientation of the keyboard in either directions as shown in Fig. 1-3.

In reference to claim 11, Chuang discloses an apparatus comprising:
a display (5) for presenting information to a user;
a housing (2) connected to the display for supporting the display;
and a keyboard assembly connected through a sliding connection to the housing, the keyboard assembly deployable in multiple directions (Fig. 4).

In reference to claim 12, Chuang discloses a first set of key arrangement, when deployed in a first direction, and provides a second set of key arrangement, when deployed in a second direction (see Fig. 4).

In reference to claims 13-15, refer to the rejections as applied to claims 1-2 and 5-10 above.

8. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Jellicoe (U.S. Patent No. 7,107,018).

In reference to claim 1, Jellicoe discloses in Figs. 2 and 3 an apparatus comprising;
a display (22) for presenting information to a user;
a housing (12) connected to the display for supporting the display;
and a keyboard assembly(14 and 16) connected through a sliding connection to the housing, the keyboard assembly deployable in multiple directions, wherein the information presented to the user through the display is oriented based on a direction of deployment of the keyboard assembly (col. 3, lines 6-20).

In reference to claim 2, Jellicoe discloses the apparatus of claim 1, wherein the keyboard assembly is deployable in a first direction and a second direction (Figs 2 and 3).

In reference to claim 3, Jellicoe discloses first keyboard deployment direction presents a QWERTY key arrangement and the second keyboard deployment direction presents a phone style key arrangement (col. 3, lines 21-30).

In reference to claims 4-5, Jellicoe discloses the device is operable as a PDA and a phone, a wireless environment (col. 2, lines 46-48).

In reference to claim 6, Jellicoe discloses the sliding connection is a track and carrier type of connection (see Fig. 1-3)

In reference to claim 8, Jellico discloses a method for presenting information on a display to a user of a device, the device having a keyboard deployable through a sliding connection, the keyboard deployable in multiple directions, the method comprising:

detecting a direction in which the keyboard assembly is deployed;

and orienting information presented on the display with reference to a direction of deployment of the keyboard assembly (col. 3, lines 5-20)

In reference to claims 9-10, Jellicoe discloses the orienting information presented on the display with reference to input by the user, i.e. when the user use the keyboard to input information to the device, or an input from an application resident on the device (col. 3, lines 6-20).

In reference to claim 11, Jellicoe discloses an apparatus comprising:

a display for presenting information to a user;

a housing connected to the display for supporting the display; and

a keyboard assembly connected through a sliding connection to the housing, the keyboard assembly deployable in multiple directions. (see rejection of claim 1)

In reference to claim 12, Jellicoe discloses the keyboard assembly provides a first set of key arrangement when deployed in a first direction, and provides a second set of key arrangement, when: deployed in: a second direction (see rejection of claim 2).

In reference to claim 13, Jellicoe discloses an apparatus for presenting information on a display to a user of a device, the device having a keyboard assembly deployable through sliding connection; the keyboard assembly deployable in multiple direction comprising:

means for detecting a direction in which the keyboard assembly is deployed; and

means for orienting information presented on the display with reference to the direction of deployment of the keyboard assembly (see rejection of claim 8)

In reference to claim 14, Jellicoe discloses at least one processor for presenting information on a display to a user of a device, the device having a keyboard assembly deployable through a sliding connection, the keyboard assembly: deployable in multiple directions, comprising:

means for detecting a direction in which the keyboard assembly is deployed; and

means for orienting information presented on the display with reference to the direction of deployment of the keyboard assembly (see rejection of claim 8)

15. A computer product, comprising: a computer-implemented medium embodying codes, which when executed by at least one processor; presents information on a display to a user of a device; the device having a keyboard assembly deployable through a sliding connection, the keyboard assembly deployable in multiple directions, the codes comprising: codes for causing the computer to detect a direction in which the keyboard assembly is deployed; and codes for causing the computer to orient information presented on the display with reference to the direction of deployment of the keyboard assembly.

9. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jellicoe hereinafter Lee in view of Pihlaja (U.S Patent No. 7,009,599).

In reference to claim 7, the combination of Jellicoe does not disclose the display is a touch sensitive screen. Pihlaja discloses a mobile phone device (Fig. 5) having a display device (103) is a touch sensitive screen for soft buttons 501.

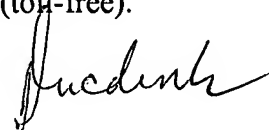
It would have been obvious for one of ordinary skill in the art at the time of the invention to provide the touch sensitive screen in the display of Jellicoe as taught by Pihlaja because it would provide more control functions for the hand-held device by using soft keys (501) in the display device.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DUC Q. DINH whose telephone number is (571) 272-7686. The examiner can normally be reached on Mon-Fri from 8:00.AM-4:00.PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DUC Q DINH
Primary Examiner
Art Unit 262929